

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

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CONRAD HINES,

Plaintiff,

-v.-

Civil Action No.  
9:08-cv-553 (GLS/DRH)

DOCTOR GANDHAM; DOCTOR  
SILVERBERG; DOCTOR POLANO; P.A.  
TED NESMITH; C.O. JOHN DOE and  
NURSE, JANE DOE, et al., sued in their  
individual and capacities under the color  
of law,

Defendants.

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APPEARANCES:

OF COUNSEL:

**FOR THE PLAINTIFF:**

CONRAD HINES  
Plaintiff Pro Se  
A #042-375-283  
Buffalo Federal Detention Facility  
4250 Federal Drive  
Batavia, New York 14020

**FOR THE DEFENDANT:**

HON. ANDREW M. CUOMO  
Attorney General for the  
State of New York  
The Capitol  
Albany, New York 12224-0341

SHOSHANAH V. BEWLAY  
Assistant Attorney General

GARY L. SHARPE,  
U.S. DISTRICT JUDGE

**ORDER**

The above-captioned matter comes to this court following a Report-Recommendation by Magistrate Judge David R. Homer, duly filed February 10, 2009. Following ten days from the service thereof, the Clerk has sent the file, including any and all objections filed by the parties herein.

No objections having been filed, and the court having reviewed the Magistrate Judge's Report-Recommendation for clear error, it is hereby

ORDERED, that the Report-Recommendation of Magistrate Judge David R. Homer filed February 10, 2009 is ACCEPTED in its entirety for the reasons state therein, and it is further

ORDERED, that the Defendants' motion to dismiss (Docket No. 20) is GRANTED as to all named defendants and that the complaint is DISMISSED as to all such defendants, and it is further

ORDERED, that the complaint is DISMISSED as to defendants "John Doe" and "Jane Doe", and it is further

ORDERED, that this case be terminated in its entirety, and it is further

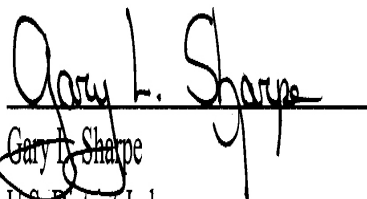
ORDERED, that the Clerk of the Court is directed to enter judgment

and close this case, and it is further

ORDERED, that the Clerk serve a copy of this order on all the parties by regular mail.

IT IS SO ORDERED

Dated: March 3, 2009  
Albany, New York

  
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Gary L. Sharpe  
U.S. District Judge